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PRAIRIE RIVERS NETWORK
1605 South State Street, Suite 1
Champaign, Illinois 61820
217 / 344-2371
217 / 344-2381 fax
www.PrairieRivers.org

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Andrew Wheeler, Administrator
wheeler.andrew@Epa.gov

Copied:
Charlotte Bertrand, bertrand.charlotte@Epa.gov
Alex Dapolito Dunn, dunn.alexandra@Epa.gov
Edward Messina, messina.edward@epa.gov
Michael Goodis, goodis.michael@epa.gov
Robert Miller, miller.robert@epa.gov

US EPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N. W.
Mail Code: 1101A
Washington, DC 20460

Re: Comments regarding the renewal of the registration of dicamba for over-the-top use on herbicide tolerant soybean and cotton.

Please accept the following comments and attached documents on behalf of Prairie Rivers Network regarding the renewal of the registrations for the growth regulator herbicide dicamba (3,6-Dichloro-2-methoxybenzoic acid) on herbicide tolerant soybean and cotton.

We are writing to request that the U.S. EPA decline the renewal of the registration of dicamba products, with the label names XtendiMax (Bayer), Engenia (BASF), FeXapan (Corteva) and Tavium (Syngenta) and end the over the top use of these products in crops.

These chemicals pose serious threats to the future of farms growing sensitive crops as well as to the native flora and fauna in these regions. Tens of millions of acres of dicamba resistant soybeans and cotton have been planted throughout the United States each year since their approval in 2016. This has greatly increased the wide-scale use of the new formulations of dicamba, which has resulted in over 5 million acres of crops reported to be injured by off-target movement of these dicamba herbicides. While a huge number, this 5 million acres is a gross underestimation of the actual damages to crops, private property, and wildlands. There are numerous reasons why registration for these products should not be renewed.

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1. Physical drift and volatilization

Despite the efforts that have been made to reduce the volatility of these herbicides, off target injuries due to particle drift and volatilization continue to occur, threatening sensitive crops, wildlife habitat, and both public and private lands. The increased restrictions and applicator training that were designed to reduce physical drift during application and particle drift during inversions continue to remain inadequate to stop injuries from occurring.

2. Rights and freedoms of farmers and growers

Farmers and private landowners in the United States should have the right and freedom to grow what they want and not fear losing their business, livelihood, and plants due to chemical damage. Now, more than ever, during the COVID-19 pandemic we need to protect the local and regional farms that grow the food our communities depend on and we need to protect every person's ability to grow their own food in their backyards.

3. Injuries to native flora, fauna, and aquatic systems

Throughout the Midwest, people continue to observe and document off-target damage to native habitats, including woodlands and prairies. While damages to sensitive crops continue to occur each year, so do the injuries to non-crop plants that people and wildlife depend on. The EPA and state agencies responsible for pesticide control are not adequately considering the ecological impacts of the repeated exposures of plants and wildlife to these herbicides. Attached is a copy of the *Prairie Rivers Network Tree and Plant Health Monitoring Report* for the 2018 and 2019 growing seasons, which highlights the fact that these herbicides are harming more than just crops.

These herbicides are highly water soluble, are found in well and surface water resources, and can even be found in treated drinking water. The amount of dicamba use on agricultural lands has more than doubled since 2016 and very little, if anything, is known about how this increased use impacts aquatic ecosystems and the people and wildlife that depend on them.

4. Ineffective or non-existent mechanisms for injury reporting, misuse enforcement, and feedback processes for label reviews.

The current mechanisms used for injury reporting, misuse enforcement, as well as the feedback processes for label reviews are non-existent, ineffective or wholly inadequate. Many states have a pesticide incident reporting system that is based on the assumption of applicator error. This type of process does not adequately address the injuries resulting from volatilization. As stated above, symptoms are being observed in wild and cultivated plants on both private and public property where no compensation for losses can be obtained.

Underreporting is a major issue and the number of reports does not adequately represent the amount of injury across the landscape. Therefore using the number of complaints filed as a guide for making dicamba use and regulatory actions is deeply flawed. There are multiple reasons

growers and landowners do not file complaints including social pressures, fear of financial loss or loss of organic certification, or feelings that the reporting process is futile and will not help them save their crop or property. Additionally, many landowners do not recognize injuries in their trees and other plants due to a lack of awareness of the issue. However, lack of knowledge of injury, and lack of reporting does not lessen their environmental consequences. Many areas are likely experiencing multiple exposures throughout the growing season. Multiple years of such exposures can have lasting consequences to the health of trees and plants, harming wildlife habitat and specialty growers' crops.

As we state in the attached report: *Drifting Towards Disaster*, The reporting process must be easily understandable and accessible to all. Growers, private landowners, and private and public land managers that desire to report crop or non-crop related injuries to plants or animals should be able to file an report and have that report thoroughly investigated and recorded even if no applicator error can be found.

5. Biomonitoring needs

The ecological risk assessments for these herbicides were wholly inadequate. Additionally, there is no ecological monitoring in place that adequately evaluates the presence or severity of symptoms of off target injury from dicamba or its impacts on the health and resiliency of ecosystems in agricultural landscapes.

As we state in the attached report, *Drifting Towards Disaster,* The FIFRA Scientific Advisory Panel should provide recommendations to the EPA on how to update the current ecological risk assessment processes to better address the impacts to terrestrial biodiversity (e.g., community and population level plant and invertebrate abundance, persistence, and richness).

Additionally, the EPA should include a full risk assessment for animal and plant species listed under the Endangered Species Act, migratory birds, native pollinators, and aquatic life that includes direct and indirect effects from exposure to dicamba due to drift, volatilization, and runoff.

Closing remarks

Please see the two attached reports.

Prairie Rivers Network Tree and Plant Health Monitoring Report 2018-2019 summarizes two years of data from a volunteer monitoring program run by our organization that examines the presence and severity of symptoms of plant growth regulator herbicide injury in trees and plants and highlights the fact that dicamba and other growth regulator herbicides are causing unreasonable harm to plants well outside the recommended buffer zone.

Drifting Towards Disaster: How Dicamba Herbicides are Harming Cultivated and Wild Landscapes, which we co-authored with the National Wildlife Federation and the Xerces Society for Invertebrate Conservation, focuses on the ecological ramifications of the widespread use of

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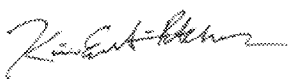
dicamba herbicides. The report presents short and long-term actions that need to be taken in order to drastically reduce the harmful ecological, financial, and social impacts related to dicamba drift.

Now more than ever, we need to be supporting resilient and diversified farming systems. The widespread use and off-target movement of this volatile herbicide put our agricultural system at risk. Farmers across the nation continue to be under intense pressure due to dicamba volatilization and drift, and the risk of pesticide contamination in their crops. Farmers should not have to fear losing their crops, customers, certification, or their ability to produce the crops that their family has grown for generations.

The 2020 growing season is still underway. Many parts of the country are seeing injuries worse than in years past, despite strict label requirements and application cutoff dates. Our ecosystems are already under the intense threats of habitat loss and degradation, climate change, disease, pests, and pollution. The injuries that are being witnessed in our native ecosystems and agricultural lands are entirely avoidable as there are other forms of weed control available to farmers, forms that are better for the soil, air, and water. For the reasons outlined above, as well as those outlined in the two attached documents, we respectfully request you **decline** the renewal of dicamba on genetically engineered soybeans and cotton.

Sincerely,



Kim Erndt-Pitcher
Habitat and Agriculture Programs Specialist
Prairie Rivers Network